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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the Baha'i International Community, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 January 1999]

GE.99-10469 (E)

The current situation of the Baha'is in Iran

1. With approximately 300,000 members, the Baha'i Faith, the largest religious minority in Iran, is not recognized as a religion by the Iranian Constitution. The Islamic regime refers to it as a heresy and a conspiracy and designates its followers "unprotected infidels", who have no legal rights, although Iran is a signatory to the International Covenant on Civil and Political Rights, which guarantees freedom of religious belief.

2. A secret Iranian government document published by the Commission on Human Rights in 1993 confirms that Iranian anti-Baha'i actions reflect deliberate government policy. Produced by the Supreme Revolutionary Cultural Council of Iran on 25 February 1991 and approved by the Islamic Republic's Supreme Leader, this document sets forth specific guidelines for dealing with "the Baha'i question" so that Baha'i "progress and development shall be blocked". It is no less than a blueprint for the slow strangulation of the Baha'i community.

3. The Baha'i community in Iran poses no threat to the authorities. The principles of the Baha'i Faith require Baha'is to be obedient to their Government and to avoid partisan political involvement, subversive activity and all forms of violence. The Baha'i community in Iran is not aligned with any Government, ideology or opposition movement.

4. The Baha'is seek no special privileges. They desire only their rights under the International Bill of Human Rights, of which Iran is a signatory.

Recent changes in the situation

5. The most recent and notable change in the situation of the Baha'is in Iran has occurred in Mashhad, the capital of the Khurasan province. On 21 July 1998 a Baha'i prisoner, Mr. Ruhu'llah Rawhani, was executed; shortly thereafter the death sentences of two other Baha'i prisoners in Mashhad were confirmed.

6. Furthermore, there has been a widespread assault on Baha'i educational activities in Iran, including the arrest of more than 36 faculty members of the Baha'i Institute of Higher Education and confiscation of materials, records and educational equipment. More than 500 Baha'i homes throughout Iran were also recently raided (October 1998).

7. In September 1996, the Baha'i International Community was informed that Baha'i students had been barred from the final year of high school, which had been designated a pre-university year. This discrimination against Baha'i youth now appears to have been lifted and they are able to register for the pre-university year at their high school.

Executions, death sentences and imprisonment

8. Since 1979, more than 200 Baha'is have been killed, and 15 others have disappeared and are presumed dead.

9. Mr. Ruhu'llah Rawhani, executed by hanging on 21 July 1998 after having served nine months in solitary confinement, stood accused of converting a woman to the Baha'i Faith. The woman concerned refuted the accusation, stating that her mother was a Baha'i and she herself had been raised as a Baha'i. There is no evidence that Mr. Rawhani was accorded any legal process or access to a lawyer, and no sentence was announced prior to his execution.

10. Moreover, the Baha'i International Community has been informed that the death sentences of two prisoners recently condemned in Mashhad, Messrs. Sirus Dhabihi-Muqaddam and Hidayat-Kashifi Najafabadi, have been confirmed, and that they may very soon meet the same fate as Mr. Rawhani. When confronted by the international community, the Government of Iran declared these cases to be crimes concerning national security, charges which had not been raised before the public condemnation of these sentences.

11. Arbitrary arrests of Baha'is continue, with a marked increase in the number of short-term detentions in various areas of the country. During the past three years more than 200 Baha'is have been arrested and detained for periods ranging from 48 hours to six months.

12. The 17 persons being held in prisons because of their religious beliefs, as of December 1998, are as follows:

Name	Date of Arrest	Charge	Sentence
Mr. Bihnam Mithaqi	29 April 1989	Zionist Baha'i activities	Death
Mr. Kayvan Khalajabadi	29 April 1989	Zionist Baha'i activities	Death
Mr. Musa Talibi	7 June 1994	Teaching the Faith, apostasy	Death
Mr. Dhabihu'llah Mahrami	6 September 1995	Apostasy	Death
Mr. Mansur Haddadan	29 February 1996	Holding a children's art exhibition	3 years
Mr. Arman Damishqi	Early 1996	Misconduct (refused to recant)	8 years
Mr. Kurush Dhabihi	Early 1996	Misconduct (refused to recant)	8 years
Mr. Nasir Qadiri	5 November 1997	Continuing "Family life" meetings	3 years
Mr. Sirus Dhabihi-Muqaddam	Oct./Nov. 1997	Continuing "Family life" meetings	Death
Mr. Hidayat Kashifi Najafabadi	Oct./Nov. 1997	Continuing "Family life" meetings	Death
Mr. Ata'u'llah Hamid Nasirizadih	Oct./Nov. 1997	Continuing "Family life" meetings	10 years
Mrs. Sonia Ahmadi	1 May 1998	Holding of meetings for the youth	3 years
Mr. Manuchehr Ziyai	1 May 1998	Holding of meetings for the youth	3 years

Mr. Ziaullah Mirzapanah	Early October 1998	Related to Baha'i Open University (BIHE)	Unknown
Mr. Farzad Khajeh	Early October 1998	Related to BIHE	Unknown
Dr. Sina Hakiman	Early October 1998	Related to BIHE	Unknown
Mr. Habibullah Ferdosian	Early October 1998	Related to BIHE	Unknown

Denial of the right to organize as a peaceful religious community

13. Since 1983 the Baha'i community has been denied both the right to assemble officially and the right to maintain its administrative institutions, those democratically elected governing bodies which in other countries organize and administer the religious activities of the community. Since the Baha'i Faith has no clergy, the denial of the right to elect these institutions threatens the very existence of a viable religious community. These sacred institutions perform many of the functions reserved to clergy in other religions and are the foundational element of Baha'i community life.

14. The latest events in Khurasan suggest ar intensification of efforts to terrorize members of the Faith and to suffocate the spiritual life of the Baha'i community in the region by further curtailing activities aimed at providing education to Baha'i children and youth. A recent example of this abuse was the arrest, detention and summary sentence of two teachers in Mashhad, the capital of Khurasan, to three years' imprisonment, while their students were given suspended sentences, to be carried out should the young people again commit the "crime" of participating in such classes. In the middle of September 1998, three more Baha'is, Mrs. Nahid Sabeti, Mr. Manouchehr Sharifi and Mr. Hushmand Sanani, were arrested, this time in Bujnurd, northern Khurasan, for participating in Baha'i "Family life" gatherings. After spending six days in prison, they were released, having also been given suspended sentences of five years' imprisonment.

Confiscation and destruction of community properties

15. Baha'i cemeteries, holy places, historical sites, administrative centres and other assets were seized shortly after the 1979 revolution. No properties have been returned and many have been destroyed. Seizure of cemeteries throughout Iran has created problems for Baha'is, who have difficulties burying their dead and identifying gravesites. They are permitted access only to areas of wasteland, designated by the Government for their use, and are not permitted to mark the graves of their loved ones.

Confiscation of properties belonging to Baha'is

16. The property rights of Baha'is are generally disregarded. Since 1979, large numbers of private and business properties belonging

to Baha'is, including homes and farms, have been arbitrarily confiscated. Recently, over 500 Baha'i homes throughout Iran were raided by intelligence officers. When queried about the seizure of personal household effects like television sets and pieces of furniture, these officers claimed that they had been authorized by the Attorney-General to take anything they wished.

Denial of employment, pensions and other benefits

17. The confiscation of property is only one of the ways in which the Government is systematically weakening the economic base of the Baha'i community. Many Baha'is in Iran have also been deprived of the means to earn a living. In the early 1980s more than 10,000 Baha'is were dismissed from positions in government and educational institutions because of their religious beliefs. Many remain unemployed and receive no unemployment benefits. The pensions of Baha'is dismissed on religious grounds were terminated; some of the Baha'is have even been required to return salaries or pensions paid to them. Baha'i farmers are denied admission to farmers' cooperatives, which are often the only sources of credit, seeds, pesticide and fertilizer.

Denial of access to education

18. An entire generation of Baha'is has been systematically barred from higher education in legally recognized public and private institutions of learning in Iran. Having been denied access to higher education for years, in 1987 the Bahai's established their own higher education programme to meet the educational needs of as many of their young people as resources would allow. Since 1987, almost 1,000 young people have been enrolled and a number have graduated with the equivalent of a Bachelor's degree. Several are presently pursuing graduate studies in Western colleges and universities.

19. In late September 1998, more than 36 faculty members of the Baha'i Institute of Higher Education (BIHE) were reported to have been arrested in cities across the country. It is understood that most of these have now been released, but that four in Isfahan remain in custody. The arrests were carried out by officers of the intelligence agency of the Government of Iran, the Ministry of Information, and also involved the seizure of textbooks, scientific papers and documentary records, some 70 computers and items of furniture useful to students, including tables and benches. Those arrested were asked to sign a document declaring that BIHE had ceased to exist as of 29 September 1998 and undertaking that they would no longer cooperate with it. The detainees refused to sign any such declaration.

Denial of civil rights and liberties

20. Unlike Christianity, Judaism and Zoroastrianism, the Baha'i Faith is not recognized in the Iranian Constitution; therefore, Baha'is fall

into the category of "unprotected infidels", whose rights can be ignored with impunity. In general, the pressures placed on Baha'is by the judicial system have increased.

21. Neither Baha'i marriage nor divorce is legally recognized in Iran, and the right of Baha'is to inherit is denied. For example, a Baha'i was recently prevented from receiving her rightful share in the inheritance following the death of her daughter. The Ministry of Justice, Tehran Civil Court, issued a "certification of inheritance" which states that the only heir of the deceased is her husband, a Muslim, "because the other inheritors are Baha'is, and subject to article No. 881 of the Civil Law". On appeal, the Central Public Court ruled that this woman's objection to the previous verdict "is unfounded because she has frankly admitted to the court that she is a Baha'i". Until 1995, attempts to gain probate were permitted if carried out in a special way; however, since 1996, Baha'is have been strictly forbidden to seek probate.

22. The freedom of Baha'is to travel outside or inside Iran is often impeded by the Iranian authorities and sometimes denied. Although the past year has witnessed an increase in the number of Iranian Baha'is given passports, it is too soon to judge whether there has been a change of policy on the part of the Government on this issue. Such treatment is not confined to Iran itself. Baha'is applying to Iranian embassies abroad to renew their passports or to obtain visas to return to Iran have often found officials similarly uncooperative. However, the Iranian embassies in some countries do not require the applicants to state their religious affiliation; in such countries, Baha'is are more likely to be able to obtain visas or to renew their Iranian passports. Passport application forms which require applicants to declare their affiliation with a "recognized religion" have been used to pressure Baha'is to recant their religious beliefs.

23. Furthermore, in a number of communities the practice of summoning Baha'is to the security offices on various specious pretexts and insulting and belittling them, so as to create fear in their families and weaken their spirits, continues unabated.

<u>No improvement in the situation since the election of President Khatami</u>

24. Regrettably, since President Mohammad Khatami took office, there has been no discernible improvement in the situation of the Baha'is in Iran. Recent events in Mashhad indicate that the persecutions of Baha'is have indeed intensified. With the execution of Mr. Ruhu'llah Rawhani on 21 July 1998 and the subsequent confirmation of the death sentences of two more Baha'i prisoners, Messrs. Sirus Dhabihi-Muqaddam and Hidayat-Kashifi Najafabadi, no other conclusion can be drawn.

25. The current circumstances are best understood in the context of the unique nature of the persecution to which Iranian Baha'is have been subjected for over a century. The Iranian Baha'i community has frequently served as a scapegoat, used by various factions struggling for political ascendancy. This has been the case regardless of the

changes in political or dynastic regime. Whenever political leaders have felt a need to divert public attention from some economic, social or political issue, they have found the Baha'i community an easy target because of the senseless hostility and prejudice inculcated in the public by generations of ecclesiastical propaganda. It is, therefore, not the actions of the Baha'is but the circumstances of Iranian history that have conspired to make the "Baha'i case" a litmus test of sincerity for Iranian public figures who represent themselves as voices of reform and progress.